

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

RONALD AND KIMBERLY WOODS

COMPLAINANTS

v.

LOUISVILLE GAS AND ELECTRIC COMPANY

DEFENDANT

)  
)  
)  
)  
) CASE NO. 97-098  
)  
)  
)  
)

O R D E R

Complainants have requested that the Louisville Gas and Electric Company ("LG&E") provide electric service to a new residence which is located at 10300 Broad Run Road, Jefferson County, Kentucky. In its Answer, LG&E alleges, inter alia, that the Complainants' new residence may be located within Salt River Electric Cooperative Corporation, Inc.'s ("Salt River") certified service territory. Finding that in Salt River's absence from this matter, complete relief may not be afforded to the Complainants, the Commission, on its own motion, HEREBY ORDERS that:


1. Salt River is made a party to this proceeding.
2. Salt River shall, within 20 days of the date of this Order, respond to the allegations contained in the Complaint and in LG&E's Amended Answer, copies of which are attached hereto. In its response, it shall address whether the site of Complainants' proposed residence, or any portion thereof, is located within its certified service territory.

Done at Frankfort, Kentucky, this 4th day of April, 1997.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director

Dear Sirs:

97-150382

Thank You so very much  
in looking into this problem  
for us. If someone needs to  
contact my wife and I during  
the day please call 426-4888 ext 184.  
After hours please call 964-3120.

Thanks Again  
Ron Shub

RECEIVED  
FEB 20 1997  
PUBLIC SERVICE  
COMMISSION

Case No.  
97-098

Before the Public Service Commission

RECEIVED  
FEB 20 1997  
PUBLIC SERVICE  
COMMISSION

(Insert name of complainant)  
Complainant  
Ronald + Kimberly Woods ) No. 97-098  
vs. ) (To be inserted by  
Louisville Gas + Electric ) the secretary  
(Insert name of each defendant)  
Defendant )

COMPLAINT

The complaint of (here insert full name of each complainant) respectfully shows:

(a) That (here state name, occupation and post office address of each complainant).

(b) That (here insert full name, occupation and post office address of each defendant).

(c) That (here insert fully and clearly the specific act or thing complained of, such facts as are necessary to give a full understanding of the situation, and the law, order, or rule, and the section or sections thereof, of which a violation is claimed).

WHEREFORE, complainant asks (here state specifically the relief desired).

Dated at Louisville, Kentucky, this 13<sup>th</sup> day  
of February, 19 97.

Ronald E. Woods  
(Name of each complainant)

[Signature]  
(Name and address of attorney,  
if any)

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED  
FEB 20 1997  
PUBLIC SERVICE  
COMMISSION

In the Matter of:  
Kimberly S. Woods  
Ronald Woods  
(Your Full Name)

COMPLAINANT

VS.

Louisville Gas + Electric  
(Name of Utility)

DEFENDANT

COMPLAINT

The complaint of Kimberly S Woods  
Ronald Edward Woods respectfully show:  
(Your Full Name)

(a) Ronald Edward Woods  
(Your Full Name)

5324 LAYNE Rd. Lou, Ky. 40219  
(Your Address)

(b) Louisville Gas + Electric  
(Name of Utility)

820 West Broadway  
P.O. Box 32020 Lou, Ky. 40232  
(Address of Utility)

(c) That: A timely resolution to which utility (LG&E or  
(Describe here, attaching additional sheets if

Salt River) is required to service our property as  
necessary, the specific act, fully and clearly, of facts

10300 Broad Run Rd is still unresolved after  
that are the reason and basis for the complaint.)

Wait. Our intents are to build

Formal Complaint

Kimberly S. Woods

Ronald Edward Woods vs Louisville Gas + Electric  
(Your Name) (Utility Name)

Page 2

home on this property. It is unclear where  
the boundary service lines are relative to our  
property. LGE has been trying to obtain service  
but has been halted by a lawsuit filed by the  
adjoining landowner.

Wherefore, complainant asks for the Public Service  
(Specifically state the

Commission to determine which utility is  
relief desired.)

required to serve our property and help  
us get service in a timely manner.

Thank you.

Dated at Louisville, Kentucky, this 13<sup>th</sup> day  
(Your City)

of February, 1997.  
(Month)

Ronald E. Woods  
(Your Signature)

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

MAR 25 1997

RONALD AND KIMBERLY WOODS, )  
 )  
COMPLAINANTS )  
 )  
vs. )  
 )  
LOUISVILLE GAS AND ELECTRIC COMPANY, )  
 )  
DEFENDANT )

PUBLIC  
OFF

CASE NO. 97-098

**AMENDED ANSWER**

Louisville Gas and Electric Company ("LG&E"), Defendant herein, hereby files its Amended Answer to the Complaint filed in this proceeding.

1. LG&E states that the Complainants ("the Woods") have requested that LG&E provide electric service to the new residence they are constructing at 10300 Broad Run Road in Jefferson County. LG&E has determined that in order to provide service to that location in the most direct and economical manner, it must place a service line across one side of the property of the Woods' neighbors, the Kushners, who reside at 10206 Broad Run Road. This would require LG&E to obtain an easement from the Kushners, but to this date the Kushners have refused LG&E's requests to provide such an easement across their property. LG&E has investigated an alternative route that would require it to obtain easements along Broad Run Road that would cross the front of the properties of three other landowners in addition to the Kushners. The Kushners, however, have failed for several months to respond to LG&E's repeated requests that they grant LG&E an easement across the front of their property. Furthermore, one of the other

property owners affected by the second route has cited the Kushners' refusal as grounds for also refusing to grant LG&E an easement.

2. LG&E further states that as a result of the Kushners' refusal to provide LG&E with an easement, it has examined other alternatives for providing service to the Woods. One alternative it has identified is for Salt River Rural Electric Cooperative Corporation ("Salt River") to provide service to the Woods, which can be accomplished without obtaining an easement from the Kushners. LG&E has reviewed its copy of the service territory boundary map for the Broad Run Road area and has been unable to precisely determine from those maps whether the Woods residence is located in LG&E's or Salt River's territory. LG&E has discussed this matter with Salt River personnel, and it is LG&E's understanding that Salt River will provide service to the Woods, if requested by the Woods, and if it can be determined that the Woods' property is located in its service territory. LG&E has communicated this information to the Woods, including the possibility of taking service from Salt River, but the Woods have informed LG&E that they do not want to take service from Salt River.

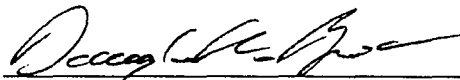
3. LG&E observes that the Complaint filed in this case does not allege that LG&E has violated any law, regulation, or provision of its tariffs, nor does it request that specific relief be granted in their favor against LG&E. LG&E does not object to the Commission granting the relief the Woods have sought, namely, "to determine which utility is required to serve our property and help us get service in a timely manner." LG&E agrees with the Woods that a determination by the Commission in which company's service territory, LG&E's or Salt River's, their new house is located would substantially assist in the resolution of this matter. LG&E



believes that an informal conference involving the parties and the Commission staff for the purpose of reviewing the Commission's official territorial map on which the Woods' property is located would substantially contribute to the potential for an resolution of this case.

WHEREFORE, LG&E respectfully requests that the Commission schedule an informal conference in this proceeding for the purpose of reviewing the Commission's official service territory maps relevant to this case and determining if the parties can reach an informal resolution of the underlying dispute. LG&E further requests that should the parties be unable to resolve this matter, the Commission proceed to make the determination requested by the Woods in their Complaint.

Respectfully submitted,



Douglas M. Brooks  
Senior Counsel Specialist, Regulatory  
Louisville Gas and Electric Company  
220 W. Main St.  
P. O. Box 32010  
Louisville, KY 40232  
(502) 627-2557  
**Counsel for Defendant,**  
**Louisville Gas and Electric Company**

#### **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy hereof was mailed on the 24th day of March, 1997 to Complainants, Ronald and Kimberly Woods, 5324 Layne Road, Louisville, Kentucky 40219.



Douglas M. Brooks